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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Bell, Yvonne)	Attorney Docket No.: JHM810
)	
Serial No.:	09/774,807)	Group Art Unit: 3626
)	
Filed:	February 1, 2001)	Examiner: Gilligan, C. Luke
)	
Title:	Lifenet)	

Renewed Petition Under 37 CFR 1.137(b)

This is the required cover letter and the renewed petition under 37 CFR 1.137(b). Also enclosed is check number 185 in the amount of \$555.00 for payment of extension of time fee.

The decision on petition mentions that the petition to revive cannot be treated until the response to the Office action is received. However, a response to the office action was filed along with the petition in May of 2009. Although it is believed that the response filed with the previous petition suffices for these purposes, a supplemental response is attached hereto.

The decision on petition states that the delay has not been shown to the satisfaction of the Director to be unintentional for only two periods: (1) the delay in reply that originally resulted in the abandonment and (2) the delay in filing an initial petition pursuant to 37 CFR 1.137(b) to revive the application.

The decision is incorrect in its statement that the application was under Mr. McGlynn's control when it became abandoned. The records of the Patent Office demonstrate that the subject application was no longer under Mr. McGlynn's control when it became abandoned. Mr. McGlynn's power of attorney was withdrawn on November 8, 2005, as shown in the document titled "Miscellaneous Incoming Letter" that the Patent Office received on November 9, 2005. No new power of attorney was filed in the application either prior to the date of abandonment of the application, or thereafter. Because he was not authorized to act on behalf of the inventor, he could take no action on the inventor's behalf and thus Mr. McGlynn's intentions, actions, or inactions are irrelevant.

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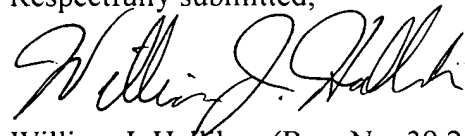
The records of the patent office indicate that the only person authorized to act, was the inventor herself. The inventor was not familiar with patent office procedure, other than her own experience. (See Declaration of Yvonne Fitzpatrick at page 1, paragraph 7). This experience consisted solely of the patent office responding to her initial application more than four years after the application was filed. (Id). The inventor did not know that her application would go abandoned if she did not file a response by November 24, 2005, or that an extension of time would only be available through February 24, 2006, from a date prior to November 24, 2005 until December 2008 (shortly before the initial petition was filed). (Id at page 1, paragraph 8 through page 2, paragraph 4). Indeed, based upon her very limited experience, there did not appear to be any urgency on the part of the Patent Office concerning the prosecution of her patent application.

During the several weeks between the inventor finding out that her application had been abandoned and when the initial petition was filed, the inventor discussed the situation with individuals from the Patent Clinic at the John Marshall law school to see what could be done and to provide them any information they requested. (Id at page 2, paragraph 5). On December 25, 2008, individuals from the Patent Clinic at the John Marshall law school filed the initial petition in the subject application.

For the above reasons, it is respectfully suggested that the above petition should be granted. If you have any questions, please contact the undersigned.

Date: November 23, 2009

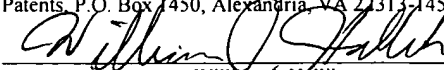
Respectfully submitted,



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I hereby certify that, on November 23, 2009, this correspondence is being deposited with the U. S. Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.



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